

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**DONALD SIMPSON,**

**Defendant.**

**8:07CR334**

## ORDER

This matter is before the court on the defendant's unopposed motion to continue trial [24]. For good cause shown,

**IT IS ORDERED** that the motion [43] is granted, as follows:

1. The trial of this matter is continued to **March 25, 2008**.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **January 16, 2008 and March 25, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, due to the unavailability of an essential witness. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

**DATED January 11, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**